

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT MARQUIS RAMEY, :
: Plaintiff, : CIVIL ACTION NO. 15-1431
: v. :
: GEORGE W. HILL CORRECTIONAL :
FACILITY, COMMUNITY EDUCATION :
CENTER, JOHN A. REILLY, JR. :
(Superintendent), DONNA MELLOW :
(Asst. Superintendent), DR. RONALD :
PHILLIPS (Medical Director), N. SMITH :
(Health Service Administrator), E. ASANTE :
(Grievance Coordinator), and J. DUFFY :
(Delaware County Sheriff), :
: Defendants. :

ORDER

AND NOW, this 21st day of April, 2015, after considering the application for prisoners to proceed in district court without prepaying fees or costs and the complaint filed by the *pro se* plaintiff, Robert Marquis Ramey, and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** as follows:

1. The application to proceed *in forma pauperis* (Doc. No. 1) is **GRANTED**;
2. The plaintiff, Robert Marquis Ramey, #HZ-7999, shall pay the full filing fee of \$350 in installments as required by 28 U.S.C. § 1915(b). Based on the financial information provided by the plaintiff, he is assessed an initial partial filing fee of \$19.22. The superintendent or other appropriate official at the State Correctional Institution at Graterford or at any other prison at which the plaintiff may be incarcerated is directed to deduct \$19.22 from the plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market

Street, Room 2609, Philadelphia, Pennsylvania 19106, to be credited to Civil Action No. 15-1431. After the initial partial filing fee is collected and until the full filing fee is paid, the superintendent or other appropriate official at the State Correctional Institution at Graterford or at any other prison at which the plaintiff may be incarcerated, shall deduct from the plaintiff's inmate account, each time that the plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the clerk of court at the address provided above to be credited to Civil Action No. 15-1431;

3. The clerk of court is directed to send a copy of this order to the superintendent of the State Correctional Institution at Graterford;

4. The complaint is **DISMISSED** for the failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) as follows:

a. The claims against the George W. Hill Correctional Facility are **DISMISSED WITH PREJUDICE**;

b. The claims for injunctive relief are **DISMISSED WITH PREJUDICE AS MOOT**; and

c. The claims against Community Education Center ("CEC"), John A. Reilly, Jr., Donna Mellow, Dr. Ronald Phillips, "N. Smith," "E. Asante," and "J. Duffy" are **DISMISSED WITHOUT PREJUDICE** with leave to file an amended complaint in accordance with paragraph 5 of this order;

5. The plaintiff has leave to file an amended complaint within thirty (30) days of the date of this order. If the plaintiff files an amended complaint, he shall name all defendants in the caption of the amended complaint and in the body of the amended complaint. Upon the filing of

an amended complaint, the clerk of court shall not issue summons or make service until so ordered by the court. If the plaintiff fails to file an amended complaint in accordance with this order, the court will dismiss with prejudice his claims without further notice to the parties; and

6. The clerk of court shall **CLOSE** this case for statistical purposes.

BY THE COURT:

/s/ *Edward G. Smith, J.*
EDWARD G. SMITH, J.